

Message Text

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50

ACTION EUR-12

INFO OCT-01 ARA-06 IO-10 ISO-00 EURE-00 SSO-00 NSCE-00

INRE-00 USIE-00 SAM-01 SAJ-01 ACDA-05 EB-07 CIAE-00

DODE-00 PM-03 H-01 INR-07 L-02 NSAE-00 NSC-05 PA-01

PRS-01 SP-02 SS-15 /080 W

----- 018262

O R 131821Z FEB 75

FM AMEMBASSY BONN

TO SECSTATE WASHDC IMMEDIATE 7976

INFO AMEMBASSY LISBON

AMEMBASSY BRASILIA

AMEMBASSY BRUSSELS

AMEMBASSY COPENHAGEN

USMISSION GENEVA

AMEMBASSY THE HAGUE

AMEMBASSY LONDON

AMEMBASSY LUXEMBOURG

AMEMBASSY MADRID

AMEMBASSY OSLO

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY STOCKHOLM

AMEMBASSY VIENNA

USMISSION NATO BRUSSELS

C O N F I D E N T I A L BONN 02524

E.

SUBJECT: VOTING RESTRICTIONS ON PORTUGUESE EMIGRANTS

REF: BONN 2427

1. EMBASSY HAS CHECKED FURTHER WITH FOREIGN OFFICE
(VON ARNIM, MEDITERRANEAN DESK) ON LEGAL BASIS FOR
TURNDOWN MENTIONED IN PARA 1 REFTL. FRG AIDE-MEMOIRE
TO PORTUGUESE GOVERNMENT (WHICH EMBASSY HAS NOT SEEN)
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DOES NOT STATE THAT VIENNA CONVENTION ON CONSULAR RE-

LATIONS CONTAINS ANY PROVISION BARRING PROPOSED VOTING ACTIVITIES. FRG AIDE-MEMOIRE REFERRED TO PRINCIPLE OF INTERNATIONAL LAW THAT NO STATE IS OBLIGATED TO PERMIT ON ITS TERRITORY ANY ACTS OF SOVEREIGNTY BY ANOTHER STATE OR ITS INSTRUMENTALITIES. IT NOTED THAT VIENNA CONVENTION MAKES CERTAIN EXCEPTIONS TO THIS RULE WITH RESPECT TO CONSULAR FUNCTIONS; THESE EXCEPTIONS DO NOT INCLUDE VOTING IN ENUMERATED CONSULAR FUNCTIONS. FONOFF REP STATED FRG DID NOT WISH TO EXERCISE ITS RIGHT NONE-THELESS TO PERMIT THIS ACTIVITY FOR THE REASONS SUMMARIZED IN PARA 2 OF REFTEL. HE STATED THAT FRG POSITION ON THIS WAS UNCHANGED FROM THAT TAKEN YEARS AGO VIS-A-VIS FRENCH AND VIS-A-VIS GREEK GOVERNMENT BEFORE THE JUNTA GOVERNMENT THERE.

2. FONOFF REP MADE CLEAR THAT FRG OBJECTION DID NOT EXTEND TO ABSENTEE/MAIL VOTING, AND CONFIRMED THAT FRG HAD NO OBJECTION TO PROVISION BY CONSULATES OF INFORMATION AND BALLOTS ON ABSENTEE/MAIL VOTING.

3. ON BASIS OF ASSUMPTION THAT THERE ARE APPROXIMATELY 65,000 PORTUGUESE WORKERS IN FRG, FONOFF HAS PROVIDED US WITH VERY ROUGH ESTIMATE THAT, WITH THE INCLUSION OF FAMILY MEMBERS WHO ARE OF AGE, THERE MIGHT BE AS MANY AS 80,000 ELIGIBLE PORTUGUESE VOTERS HERE.
HILLENBRAND

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NNN

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Margaret P. Grafeld
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05 JUL 2006

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